

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

GINZBURG, Boris et  
APPLICANT(S): al. EXAMINER: Wu, Jianye  
  
SERIAL NO.: 10/813,027 GROUP ART UNIT: 2616  
  
FILED: March 31, 2004 ATTORNEY DOCKET No.: P-6388-US  
  
FOR: METHOD AND APPARATUS TO MULTICAST TRANSMISSION

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.6 AND 37 CFR 1.181 TO ACCEPT AND ENTER IN THE RECORD A TIMELY FILED RESPONSE; RESPONSE TO OFFICE ACTION**

Sir:

Applicants hereby petition the Director to assign a receipt date of April 11, 2008 to the Request for Continued Examination (RCE) and Amendment, transmitted by facsimile to the United States Patent and Trademark Office ("the Office") on April 11, 2008.

On April 11, 2008, Applicants' attorneys transmitted via facsimile 16 pages including a facsimile cover sheet, RCE, and Amendment in response to a Final Office Action. Attached hereto is a copy of the RCE and Amendment and accompanying facsimile cover sheet. (Exhibit A).

Applicants' attorneys' facsimile machine printed a report confirming the transmission of 16 pages to the Office's centralized facsimile number ( (571) 273-8300). Attached hereto is a copy of the facsimile report. (Exhibit B).

Applicants' attorneys also received an Auto-Reply Facsimile Transmission from the Office, indicating receipt of the 16 pages, and including the facsimile cover sheet originally sent. Attached herewith is a copy of the Auto-Reply Facsimile Transmission. (Exhibit C).

In addition, Applicants note that on the facsimile cover sheet shown in Exhibit A includes a Certificate of Transmission signed by Adi Stav-Golding.

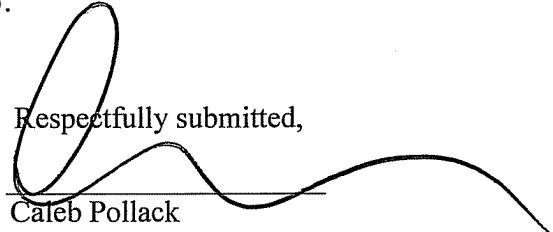
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On June 23, 2008, an employee at the office of the undersigned checked the status of the Application in the Office's PAIR system, and found that the RCE and Amendment were never entered into the record. A telephone call with Examiner Wu confirmed that the RCE and Amendment had not been processed and the papers were unavailable to Examiner Wu.

Therefore, Applicants respectfully petition the Director to accord the RCE and Amendment a receipt date of April 11, 2008, and have these papers entered and considered on the merits, as a proper and timely response to the January 11, 2008 Office Action. Applicants respectfully submit that no extensions of time are required, since the response was properly filed on April 11, 2008.

If the Office decides that this petition is deficient, the Amendment attached hereto as Exhibit A serves as a response to the January 11, 2008, Office Action and in addition, if this petition is denied, Applicants petition for a three-month extension of time, and authorize the Office to charge the fees for the three-month extension of time to the deposit account listed below.

No fee is believed to be due in connection with this paper. However, if any fee is due in connection with this paper, the undersigned hereby authorizes the Patent Office to charge such fees as are required to Deposit Account 50-3355.

Respectfully submitted,  
  
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Dated: July 2, 2008

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